

## REMARKS

Claims remaining in the present application are Claims 1-3 and 5-21. Claim 1 has been amended to incorporate the limitation of Claim 4. Claim 4, has been cancelled. Claims 9, 11, 12, and 13 have been amended. No new matter has been added as a result of these amendments.

## CLAIM REJECTIONS

### 35 U.S.C. §102

Claims 1-8 are rejected under 35 U.S.C. §102(e) as being anticipated by Ottesen et al. U.S. Patent No. 6,208,804 (hereinafter, Ottesen). The rejection is respectfully traversed for the following rationale.

### CLAIM 1

Currently Amended Claim 1 recites, in part:

e) negotiating the maximum size of said packets transferred between said first device and said second device.

Applicant respectfully asserts that Ottesen fails to teach or suggest the above claimed limitation. The rejection states that Ottesen teaches this limitation in col. 15, lines 10-37. This reference does teach that the maximum packet length that can be transmitted is a function of the buffer size of the receiving device. It also teaches that the sending device must be configured not to send packets as claimed that are larger than the buffer size of the receiving device, but Applicant respectfully asserts that Ottesen is silent as to negotiating the maximum size of

said packets transferred between said first and said second device as claimed. Moreover, Applicants respectfully assert that Ottesen does not inherently teach this limitation.

For the foregoing reasons, Applicant respectfully asserts that Ottesen fails to teach or suggest all of the limitations of Claim 1. Therefore, Applicant respectfully requests allowance of Claim 1.

### 35 U.S.C. §103

Claims 9-21 are rejected under 35 U.S.C. §103(a) as being unpatentable over Ottesen et al. U.S. Patent No. 6,208,804 (hereinafter, Ottesen) in view of Fawcett et al. U.S. Patent No. 5,678,002 (hereinafter, Fawcett). The rejection is respectfully traversed for the reasons below.

### CLAIM 9

Currently amended Claim 9 recites, in part:

b) a communication layer of code coupled to said first device negotiating the maximum size of packets transferred between said first device and said second device;

Applicant submits that neither Ottesen nor Fawcett, alone or in combination, teach or suggest, "a communication layer of code coupled to said first device negotiating the maximum size of packets transferred between said first device and said second device," as claimed. Therefore, Claim 9 is not rendered obvious by Ottesen in view of Fawcett.

Applicant respectfully asserts that Ottesen fails to teach or suggest “a communication layer of code coupled to said first device negotiating the maximum size of packets transferred between said first device and said second device,” for the following reasons. Ottesen discloses that the length of each video segment block is a function of the video matrixing scheme used and the size of an input buffer typically provided in a subscribing customer’s set-top control system for the purpose of buffering packets of video segments received from the multimedia server. (See e.g., col. 15, lines 1-17). Ottesen also discloses that maximum packet size generally corresponds to the size of the video segments. (See e.g., col. 15, lines 18-21). Ottesen also discloses that the input buffer of a customer’s set-top control system would typically be configured to store at least five to ten video segments. (See e.g., col. 15, lines 21-37) However, Ottesen does not teach or suggest a communication layer of code coupled to the first device negotiating the maximum size of packets transferred between said first device and said second device, as claimed.

The cited combination fails to teach or suggest this claim limitation because, applicant respectfully asserts, Fawcett is silent as to “a communication layer of code coupled to said first device negotiating the maximum size of packets transferred between said first device and said second device” as claimed. Moreover, Applicant respectfully asserts that Fawcett does not inherently teach these limitations.

Therefore, the combination of Ottesen and Fawcett fails to teach or suggest the claimed limitation of “a communication layer of code coupled to said first device negotiating the maximum size of packets transferred between said first device and said second device.”

Applicant further asserts that it would not have been obvious to one of ordinary skill in the art at the time of Applicant's invention to combine the teachings of Ottesen with the teachings of Fawcett to arrive at the claimed limitation of “a communication layer of code coupled to said first device negotiating the maximum size of packets transferred between said first device and said second device.”

For the foregoing reasons, Applicant respectfully asserts that Claim 9 is allowable over the combination of Ottesen and Fawcett.

### CLAIM 13

Currently amended Claim 13 recites, in part:

c) a communication layer of code stored in said memory and, when run in said processor, operable to negotiate the maximum size of packets transferred between said host device and a peripheral device

Applicant submits that neither Ottesen nor Fawcett, alone or in combination, teach or suggest, “a communication layer of code stored in said memory and, when run in said processor, operable to negotiate the maximum size of packets

transferred between said host device and a peripheral device,” as claimed.  
Therefore, Claim 13 is not rendered obvious by Ottesen in view of Fawcett.

Applicant respectfully asserts that Ottesen fails to teach or suggest “a communication layer of code stored in said memory and, when run in said processor, operable to negotiate the maximum size of packets transferred between said host device and a peripheral device,” for the following reasons. Ottesen discloses that the length of each video segment block is a function of the video matrixing scheme used and the size of an input buffer typically provided in a subscribing customer’s set-top control system for the purpose of buffering packets of video segments received from the multimedia server. (See e.g., col. 15, lines 1-17). Ottesen also discloses that maximum packet size generally corresponds to the size of the video segments. (See e.g., col. 15, lines 18-21). Ottesen also discloses that the input buffer of a customer’s set-top control system would typically be configured to store at least five to ten video segments. (See e.g., col. 15, lines 21-37) However, Ottesen does not teach or suggest a communication layer of code stored in said memory and, when run in said processor, operable to negotiate the maximum size of packets transferred between said host device and a peripheral device, as claimed.

Applicant respectfully asserts that Fawcett is silent as to “a communication layer of code stored in said memory and, when run in said processor, operable to negotiate the maximum size of packets transferred

between said host device and a peripheral device.” Moreover, Applicant respectfully asserts that Fawcett does not inherently teach these limitations.

Therefore, the combination of Ottesen and Fawcett fails to teach or suggest the claimed limitations of “a communication layer of code stored in said memory and, when run in said processor, operable to negotiate the maximum size of packets transferred between said host device and a peripheral device.”

Applicant further asserts that it would not have been obvious to one of ordinary skill in the art at the time of Applicant’s invention to combine the teachings of Ottesen with the teachings of Fawcett to arrive at the Applicant’s claimed limitations of “a communication layer of code stored in said memory and, when run in said processor, operable to negotiate the maximum size of packets transferred between said host device and a peripheral device.”

For the foregoing reasons, Claim 13 is respectfully believed to be allowable over the combination of Ottesen and Fawcett.

#### Dependent Claims

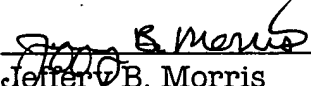
Claims 2-3, 5-8, 10-12, and 14-21 depend from Claims 1, 9, and 13, which are respectfully believed to be allowable for reasons contained herein. By virtue of their dependency, Claims 2-3, 5-8, 10-12, and 14-21 are respectfully believed to be allowable.

CONCLUSION

Based on the arguments and amendments presented above, it is respectfully submitted that Claims 1-3 and 5-21 overcome the rejections of record and, therefore, allowance of Claims 1-3 and 5-21 is respectfully solicited. Should the Examiner have a question regarding the instant amendment and response, the Applicant invites the Examiner to contact the Applicant's undersigned representative at the below listed telephone number.

Respectfully submitted,  
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